

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

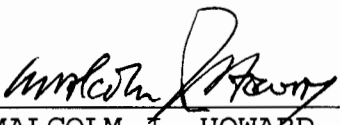
No.: 5:01-CR-90-1H

JAMES CURTIS JOHNSON,	)	
	)	
Petitioner,	)	
	)	
v.	)	ORDER
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

This matter is before the court on petitioner's motion to modify his sentence. Also before the court is petitioner's motion to supplement [DE #46]. The court grants the motion to supplement and has considered the petitioner's additional filings.

The court has carefully reviewed the motion and finds it to be without merit as The Fair Sentencing Act is not applicable to petitioner's case. See United States v. Mouzone, 687 F.3d 207, 222 (4th Cir. 2012). Therefore, the motion [DE #45] is DENIED.

This 7th day of November 2013.

  
MALCOLM J. HOWARD  
Senior United States District Judge

At Greenville, NC  
#26